EXTENSIONS OF REMARKS

FORMER PENNSYLVANIA GOVERNOR DICK THORNBURG'S THOUGHTFUL STATEMENT ON ''INTERNATIONAL DISABILITY RIGHTS: THE PROPOSED UN CONVENTION''

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 28, 2004

Mr. LANTOS. Mr. Speaker, on March 30th, the Congressional Human Rights Caucus held a groundbreaking Members' Briefing entitled, ''International Disability Rights: The Proposed UN Convention.'' This discussion of the global situation of people with disabilities was intended to help establish disability rights issues as an integral part of the general human rights discourse. The briefing brought together the human rights community and the disability rights community, and it raised awareness in Congress of the need to protect disability rights under in international law to the same extent as other human rights through a binding UN convention on the rights of people with disabilities.

Our expert witnesses included Deputy Assistant Secretary of State Mark P. Lagon; the Permanent Representative of the Republic of Ecuador to the United Nations, Ambassador Luis Gallegos; the United Nations Director of the Division for Social Policy and Development in the Department of Economic and Social Affairs, Johan Schövinck; the distinguished former Attorney General of the United States, former Under-Secretary General of the United Nations and former Governor of Pennsylvania, the Honorable Dick Thornburgh; the President of the National Organization on Disability (NOD), Alan A. Reich; Kathy Martinez, a member of the National Council on Disabilities (NCD); and a representative of the United States International Council on Disabilities (USCID) and Executive Director of Mental Disability Rights International, Eric Rosenthal.

As I had announced earlier, I intend to place the important statements of our witnesses in the CONGRESSIONAL RECORD, so that all of my colleagues may profit from their expertise, and I ask that the statement of Governor Dick Thornburgh be placed at this point in the CONGRESSIONAL RECORD.

DICK THORNBURGH, FORMER ATTORNEY GENERAL OF THE UNITED STATES AND UNDER-SECRETARY GENERAL OF THE UNITED NATIONS BEFORE THE CONGRESSIONAL HUMAN RIGHTS CAUCUS ON 2203 RAYBURN HOUSE OFFICE BUILDING, WASHINGTON, D.C.

Thank you, Congressman Lantos. I'm very happy to be participating on this panel today. It gives me an opportunity to discuss two topics about which I care deeply—disability rights and international cooperation. The fact that the United Nations has taken an important—and long overdue—step toward bringing 600 million people with disabilities into the mainstream of human rights concerns is a milestone for social justice globally. I applaud the disability community for its tireless efforts in what must have seemed an uphill battle for international recognition of this important issue.

About 15 years ago, I testified before House and Senate Committees as the principal spokesperson for President George Bush's administration on the development of the Americans with Disabilities Act (ADA). I testified as Attorney General of the United States and as a parent of an adult child with mental retardation. During those hearings I recognized that no piece of legislation could alone change the longstanding misperceptions that many people have about disability—misperceptions based largely on stereotype, ignorance and fear of what is different. Any reshaping of attitudes would be the gradual result not of the words or ideas in the laws, but of bringing people with disabilities from the margins of society into the mainstream of American life—our schools, workplaces, busses and trains, courthouses, restaurants and theaters—where they not only have an absolute right to be but where we have an obligation as fellow human beings to welcome them on an equal basis as all others.

The effort to secure passage of the Americans with Disabilities Act was difficult. Those of us who wanted to see it happen were given countless reasons that it couldn't be done. We were told that the climate in Congress wasn't right, it would be too expensive, too complicated, not effective, impossible to enforce—even that the country in general just wasn't ready for it. So we discussed, debated, argued, researched, analyzed, negotiated, pleaded, convinced and, ultimately, drafted and passed the most progressive disability legislation the world had ever seen. This legislation, with its innovative concepts such as ''reasonable accommodation,'' has changed the way we do business in this country. It has made us more representative, more democratic and more free by ending the unchecked exclusion of 54 million Americans from public life.

Of course we still have a long way to go. The ADA isn't perfect and people with disabilities in America continue to face serious challenges. Still, we've made remarkable progress that is not only celebrated here at home but also recognized abroad. The United States is viewed internationally as the pioneer for disability rights. Disability activists from other countries have taken the ADA to their governments and said ''Look. This is how it should be done. We need to do this here in our country.'' And many governments have responded. Our legislation has served as an model for anti-discrimination protections for people with disabilities all over the world.

However, despite our progress at home—and the progress that it has inspired in other countries—on the whole disability as a global issue remains near the bottom of the list of priorities for many governments and societies. People with disabilities are among the poorest, least educated and most abused and excluded people on earth. I said that the ADA has served as a shining model for domestic legislation for other countries. That is true, but, in actuality, fewer than 50 nations actually have anti-discrimination laws to protect the rights of people with disabilities. The mainstream human rights movement has traditionally considered disability as an issue that falls outside its scope, viewing it as a social problem or a medical issue instead of a subject of human rights. While the rights of women, children, racial minorities and migrant workers have found their place in the international human rights and legal framework, disability rights have languished on the sidelines. Fortunately, that chapter in history is approaching its end with the UN effort to draft an international convention on disability.

I'd like to address briefly—and hopefully put to rest—some of the questions and concerns that have been raised about this convention. To begin, it has been argued that disability rights are more appropriately addressed as a domestic concern, given the complexity of the issues involved. In other words, this really isn't an appropriate subject for international protection. Certainly, good domestic legislation in every country would be the ideal solution. But most countries don't have it and it does not seem reasonable to expect that this will change dramatically without international pressure. The fact is, for many countries, international conventions have served as a catalyst for the development of domestic protections. Furthermore, the human rights situation of people with disabilities is a legitimate matter of international concern. Just last month, Amnesty International reported that 17 patients at a psychiatric hospital in southern Romania have died so far this year, apparently from malnutrition and hypothermia. The total number of deaths in 2003 at that institution from similar causes was 84. In the absence of effective domestic protections, these are the types of persons who deserve and require the coverage of an international convention.

Another view put forth is that, because of America's comprehensive domestic protections, a treaty on disability would have no relevance in our own country. Therefore, in the absence of any intention of becoming a party to the convention, our participation in the process of its development should be minimal.

We are the most progressive country in the world when it comes to disability rights domestically. The universality of human rights and fundamental freedoms—as expressed in our Declaration of Independence—is the foundation on which our entire society is based. Respect for human rights is also a stated core principle of our foreign policy—precisely because we recognize that stability, security and economic opportunity in any society presuppose a social order based on respect for the rights of its citizens. Given this history and these values, it would seem natural, in fact, for the United States to assume a leading role—not a passive one—in the UN effort to codify in an international treaty the principles of equality, inclusion and respect for the human rights of people with disabilities.

It might sound familiar—even a cliché—to say we are the world leaders on this subject. Let's be honest. There is certainly no shortage of issues on which we claim to be the world leaders. We are predisposed to take credit for most any trend in the world that seems just, free and democratic. But with respect to this issue, we really do have ''bragging rights.'' We got disability rights right.

This is our opportunity to export the very best the U.S. has to offer. This is a chance to use our rich national experience on disability rights—which has gained us the respect of the world community—to extend the

principles embodied in the ADA to the hundreds of millions of people with disabilities worldwide who have no domestic protection. This is worthy of our leadership. We have everything to gain and nothing to lose by playing the role the world expects of us.

It would be a shame to let the chance pass by to demonstrate political and moral leadership in a process in which the end result can only be the improvement of life for countless millions of people. We can't afford to shortchange this treaty by declaring at the outset our intention not to be a party to it or to participate in a meaningful way in its development.

Just like the ADA, a convention will not be a magic legal solution with the power to create immediate change in the attitudes, cultural perceptions and ignorance that lead to discrimination and human rights abuses of people with disabilities. What it will do is create a place for disability in the human rights framework. It will put disability on the radar screen of governments and societies as a legitimate human rights issue to which they must give heed. It will provide guidance and standards and create a legal obligation for States Parties to respect the rights of this sizable population. It will serve as a powerful advocacy tool for the global disability movement to promote inclusion and equality of opportunity.

Change will be gradual—probably painfully slow. But this is the best first step we can take toward promoting change on an global scale. Our commitment to leadership on disability rights should not end at our shores. This is about 600 million people worldwide whose rights have been ignored for too long.

HUMAN TRAFFICKING

HON. DOUG BEREUTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 28, 2004

Mr. BEREUTER. Mr. Speaker, this Member agrees with the sentiments expressed in an April 22, 2004, Omaha World Herald editorial entitled ''A New Fight Against Slavery.'' This Member commends the article to his colleagues.

A NEW FIGHT AGAINST SLAVERY

Slavery has long been officially illegal in most of the world. Yet de facto slavery continues for hundreds of thousands of women and children kidnapped and exploited as prostitutes, domestic servants or forced laborers.

The revenues generated for criminal enterprises total a staggering $7 billion a year. The U.S. Intelligence community projects that within a decade, the worldwide returns from criminal trafficking in human beings will exceed those from the sale of illegal narcotics or guns.

Paula J. Dobriansky, U.S. undersecretary of state for global affairs, described the scale of this problem during a recent speech. ''Each year,'' she said, ''an estimated 800,000 to 900,000 human beings—mostly women and children in search of a better life—are bought, sold or forced across international borders.''

Although most of these cases involve developing and middle-income countries, some of the exploitation reaches U.S. shores. Between 18,000 and 20,000 women and children are coerced into the United States annually by traffickers, Dobriansky said.

Despite the challenge in tackling such a global phenomenon, progress is being made. When a State Department report listed friendly countries such as South Korea, Greece and Turkey among those failing to address human trafficking, those governments soon ratcheted up their law enforcement efforts.

Greater international cooperation has led to significant arrests. One operation involving 12 countries led last year to the apprehension of 207 suspected traffickers.

In this country, Congress and the White House have cooperated to sharply increase the penalties for such crimes. In early 2004, the federal government was pursuing more than 300 human-trafficking investigations.

Private aid agencies as well as governments are contributing millions of dollars to help resettle women and children and provide them with educational assistance or other help.

The official abolition of slavery was one of the milestones of the 19th century. Successfully choking off the opportunities for human traffickers would be one of the great achievements in the 21st.

OCCUPATIONAL THERAPY MONTH

HON. LANE EVANS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 28, 2004

Mr. EVANS. Mr. Speaker, today, I want to acknowledge April as Occupational Therapy Month. Occupational therapy is a health, wellness, and rehabilitation service provided by medically qualified professionals whose expertise includes anatomy, physiology, psychology and other disciplines which enable them to provide ''skills for the job of living.''

Occupational therapy is based on performing the meaningful activities of daily life, such as self-care, education, work, or social interaction, especially to enable or enhance participation in such activities despite impairments or limitations in physical or mental functioning. Occupational therapy helps children with disabilities in schools learn, help adults with mental illness function safely in the community, and helps stroke and other neurological patients recover as much ability as possible to lead full, productive, meaningful lives.

More than 2300 occupational therapists live and practice in the great state of Illinois of which 125 providers reside in my district, in western and central Illinois.

This year's focus for Occupational Therapy Month is older driver issues. The number of Americans aged 65 and older is expected to double to 70 million by the year 2030. With an increasing proportion of elderly persons expected to stay mobile longer, health care professionals, policymakers, and caregivers have raised concerns about addressing driving safety and quality-of-life issues among older adults.

Occupational therapy can optimize and prolong an older driver's ability to drive safely, and ease the transition to other forms of transportation if driving cessation becomes necessary. By identifying strengths as well as physical or cognitive challenges, occupational therapists can evaluate an individual's overall ability by testing his or her vision, reaction time, strength, judgment, and endurance to operate a vehicle safely and recommend assistive devices or behavioral changes to limit risks.

I want to recognize occupational therapists and occupational therapy assistants in the important service they provide to millions of individuals and families and to our nation as a whole.

RECOGNIZING THE CHAMPIONSHIP OF THE MICHIGAN STATE UNIVERSITY DEBATE TEAM

HON. MIKE ROGERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 28, 2004

Mr. ROGERS of Michigan. Mr. Speaker, I rise today to recognize the accomplishment of the Michigan State University Debate Team. On April 6, 2004, The Michigan State University Debate team placed first at the National Debate Tournament held at Catholic University in Washington, DC. The National Debate Tournament is the premier debate tournament in the country. Only seventy-eight of the nation's very best Universities are invited to compete at the highest level of collegiate debate.

The MSU Debate Team has had a long history of success in national debate competition finishing in the Final Four of the National Debate Tournament in 1968, 1998, 2001, 2002 and 2003. In 2000, the Michigan State University finished as a runner up in the competition. However, despite their previous success, the 2004 championship marks the first championship in the school's history. The Michigan State Spartans are only the third public school in the fifty-seven year history of the competition to take the first place honors.

Mr. Speaker, I would like to ask my colleagues to join me in celebrating the accomplishment of the Michigan State University Debate Team. I am extremely grateful to represent one of the premier universities in the country and delighted to share their successes with you.

HONORING THE MEMORY OF DAVID SPIRTES, SUPERINTENDENT OF THE FIRE ISLAND NATIONAL SEASHORE

HON. TIMOTHY H. BISHOP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 28, 2004

Mr. BISHOP of New York. Mr. Speaker, I rise today to honor David Spirtes, Superintendent of the Fire Island National Seashore on Long Island and resident of East Moriches, New York, who passed away on Thursday, April 15. A 31-year veteran of the National Park Service, Mr. Spirtes was highly respected for his fair and cooperative nature, as well as his strong environmental stewardship of the parks entrusted to his care. He was a man of integrity, noted for the respect with which he treated others, service to his country in the armed forces, and devotion to his family.

A native of New York, David Spirtes began a long and successful career with the National Park Service 31 years ago. Before securing his first career position with the agency in 1977, he served as a seasonal park ranger at such prestigious parks as the Grand Canyon, Everglades, and White Sands National Monument. Mr. Spirtes quickly rose through the ranks, promoted to subdistrict ranger at Yellowstone National Park, then to chief ranger at